

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF MASSACHUSETTS

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:  
ROBERT J. HARRINGTON, FAYE BYRON,  
CRAIG BUCK, VALERIE L. PAWSON, 04 12558 NMG  
RAY DRASNIN, WANDA MILLS, JEFF  
GOLUMBUK, CAROLINE MARSHALL-  
SMITH, ANESIA KALAITZIDIS,  
KENNETH IVANOVITZ, ATHANASE  
KARAGIORGOS, HARRIET ZALWANGO.  
MICHAEL BLAU, KENNETH MICCICHE  
and JENNIEE TSOUVRAKAS, on behalf of  
themselves and others,

Plaintiffs,

- against -

DELTA AIRLINES, INC., AMERICAN  
AIRLINES, US AIRWAYS GROUP, INC.,  
d/b/a US AIRWAYS, NORTHWEST  
AIRLINES, UNITED AIRLINES, INC.,  
ALASKA AIRLINES, CONTINENTAL  
AIRLINES, AIR CANADA, OLYMPIC  
AIRLINES CORPORATION LIMITED,  
CHINA SOUTHERN AIRLINES COMPANY  
LIMITED, DEUTSCHE LUFTHANSA, A.G.,  
d/b/a LUFTHANSA AIRLINES, SWISS  
INTERNATIONAL AIRLINES LTD., d/b/a  
SWISSAIR, BRITISH AIRWAYS, PLC, d/b/a  
BRITISH AIRWAYS, MIDWAY AIRLINES  
CORP., d/b/a MIDWAY AIRLINES,  
ALITALIA-LINEE AEREE ITALIANE S.p.A.,  
d/b/a ALITALIA AIRLINES, SOUTHWEST  
AIRLINES, CO., d/b/a SOUTHWEST  
AIRLINES, CHINA EASTERN AIRWAYS-  
SERVICES, SA, d/b/a CHINA EASTERN  
AIRWAYS and AIR TRANSPORT  
ASSOCIATION,

Defendants.  
-----X

ASSENTED-TO MOTION FOR ADMISSION *PRO HAC VICE*  
OF THOMAS J. WHALEN

Defendant China Southern Airlines Company Limited, China Eastern Airlines, and Swiss International Airlines Ltd. (hereinafter referred to as “the defendants”), by and through the undersigned counsel of record, hereby move, pursuant to Local Rule 83.5.3, for the admission, *pro hac vice*, of Thomas J. Whalen, a partner at the firm of Condon & Forsyth LLP, with offices at 1016 Sixteenth Street, N.W., Washington, D.C. 20008. Such admission is for the purpose of this case only.

As grounds for this motion, and as set forth in the Affidavit of Thomas J. Whalen attached hereto, the defendants and undersigned counsel state as follows:

1. Mr. Whalen is duly admitted and licensed to practice law in New Jersey, New York, and District of Columbia, and he is in good standing in each jurisdiction (he is not presently eligible to practice law in New Jersey, however, because an office or residence is required);
2. There are no disciplinary proceedings pending against him as a member of the bar in any jurisdiction; and
3. He is familiar with the Local Rules for the United States District Court for the District of Massachusetts.

The defendants request that Mr. Whalen be admitted because he has particular expertise in aviation matters and he has represented the defendants in other matters.

WHEREFORE, the defendants and the undersigned respectfully request that the motion be allowed and that Thomas J. Whalen be admitted to practice before this Court for the duration of this action.

ASSENTED TO:

Plaintiffs,

Defendant,

CHINA EASTERN AIRLINES,  
CHINA SOUTHERN AIRLINES COMPANY  
LIMITED, and SWISS INTERNATIONAL  
AIRLINES LTD.,

\*/s/ Evans J. Carter

Evans J. Carter, BBO #076560  
HARGARVES, KARB, WILCOX  
& GALVANI, LLP  
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/s/ Kathleen M. Guilfoyle

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ASSENTED TO:

Attorneys for Defendants  
Delta Air Lines, Inc.,  
American Airlines, Inc., Northwest  
Airlines, Inc., Alaska Airlines, Inc.  
Continental Airlines, Inc., Southwest  
Airlines Co., and Air Transport  
Association of America, Inc.,

ASSENTED TO:

Attorneys for Defendant  
Deutsche Lufthansa, A.G. d/b/a  
Lufthansa Airlines,

\*/s/ Matthew A. Porter

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\*/s/ David W. Ogden

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ASSENTED TO:

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Alitalia Airlines,

/s/ Kevin C. Cain

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(617) 951-2045

CERTIFICATE OF SERVICE

I hereby certify that on February 8, 2005, I served a copy of the Assented-To Motion For Admission *Pro Hac Vice* of Thomas J. Whalen via first-class mail, postage prepaid, to the following counsel of record:

Evans J. Carter, Esq.  
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30 Rowes Wharf  
Boston, MA 02110

/s/ Kathleen M. Guilfoyle  
Kathleen M. Guilfoyle

\* By Ms. Guilfoyle, per authorization of counsel

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AIRLINES, OLYMPIC AIRWAYS-  
SERVICES, SA, d/b/a OLYMPIC AIRWAYS  
and AIR TRANSPORT ASSOCIATION,

Defendants.

CIVIL ACTION NO.  
04 12558 NMG

**AFFIDAVIT OF THOMAS J.  
WHALEN**

**LR 83.5.3(b) AFFIDAVIT OF THOMAS J. WHALEN**

NOW COMES the affiant and states as follows:

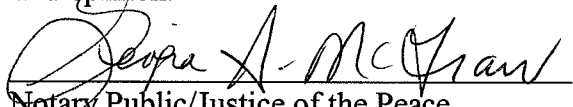
1. My name is Thomas J. Whalen, and I am a partner at the law firm of Condon & Forsyth LLP, with offices at 1016 Sixteenth Street, N.W., Washington, D.C. 20008, telephone number (202) 289-0500.
2. I am an attorney duly admitted and licensed to practice law in the following courts in the year so indicated:
  - (a) New Jersey - 1964
  - (b) New York - 1968
  - (c) District of Columbia - 1964
3. I am in good standing and eligible to practice law in all the aforementioned jurisdictions, except New Jersey where an office or residence is required.
4. I am not currently suspended or disbarred in any jurisdiction.
5. There are no disciplinary proceedings pending against me in any jurisdiction.
6. I am familiar with the Local Rules of the United States District Court for the District of Massachusetts.
7. Defendant China Southern, China Eastern and Swiss International have requested that Condon & Forsyth LLP represent them in this case.

Dated: January 19, 2005

  
Thomas J. Whalen

Personally appeared Thomas J. Whalen and swore that the statements contained in this affidavit are true to the best of his knowledge, belief and opinion.

Dated: January 19, 2005

  
Notary Public/Justice of the Peace

J:\40766\jw affidavit.wpd

My Commission Expires January 1, 2006